

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HEALTH AND FAMILY WELFARE

(Health-6 Branch)

NOTIFICATION

The 31st March, 2016

No.G.S.R.30/Const./Art.309/2016.-In exercise of the powers conferred by the provision to article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, regulating the recruitment and the conditions of Service of the persons appointed to the Punjab Food and Drug Administration (Technical Group-A) Service namely:-

RULES

1. Short title, commencement and application.- (1) These rules may be called the Punjab Food and Drug Administration (Technical Group-A) Service Rules, 2016.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

(3) They shall apply to the posts specified in Appendix 'A'.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) 'Appendix' means an Appendix, appended to these rules;

(b) 'Commissioner' means the Commissioner, Food and Drug Administration;

(c) 'Service' means the Punjab Food and Drug Administration (Technical Group A) Service; and

(d) 'Government' means the Government of the State of Punjab in the Department of Health and Family Welfare;

3. Number and character of posts.-The Service shall comprise the posts specified in Appendix 'A':

Provided that nothing in these rules shall affect the inherent right of the Government to add to or to reduce the number of such posts or to create new posts with different designations and scale of pay, whether permanently or temporarily.

4. Appointing authority.- Appointment to the Service shall be made by the Government.

5. Method of appointment, qualifications and experience.- (1) Appointment to the Service shall be made in the manner as specified in Appendix 'B':

Provided that if no suitable candidate is available for appointment by promotion and by direct appointment, then appointment to the Service shall be made by transfer of a person holding a similar or an identical post under a State Government or Government of India.

(2) No person shall be appointed to any post in the Service, unless he possesses the qualifications and experience as specified against that post in appendix 'B'.

(3) Appointment to the Service by promotion shall be made on the basis of seniority-cum-merit, but no person shall have any right to claim promotion on the basis of seniority alone.

6. Pay of members of the Service.- The members of the Service shall be entitled to such scales of pay, as may be authorized by the Punjab Government from time to time. The scales of pay at present in force are given in Appendix 'A'.

7. Discipline, Punishment and appeal.- (1) In the matters of discipline, punishment and appeal, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties as specified in the rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, in respect of the members of the Service, shall be the Government.

8. Application of the Punjab Civil Service (General and Common Conditions of Service) Rules, 1994.- (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, at present in force, are contained in Appendix 'C'.

9. Repeal and Savings.- The Punjab Health and Family Welfare (Group 'A') Service Rules, 2001, in so far as they are applicable to the members of the Service, are hereby repealed:

Provided that any order issued or any action taken under the rules so repealed shall be deemed to have been issued or taken under the corresponding provisions of these rules.

10. Interpretation.- If any question arises as to the interpretation of these rules, the Government shall decide the same in consultation with the Department of Personnel.

"APPENDIX A"

[See rules 1(3), 3 and 6]

Serial No.	Designation of the Post	Number of Posts			Scale of Pay (in rupees)	Grade Pay (in rupees)
		Permanent	Temporary	Total		
(Drugs)						
1	Joint Commissioner (Drugs)	1	-	1	15600-39100	7200
2	Assistant Commissioner (Drugs)	2	-	2	10300-34800	5000
(Food Safety)						
3	Joint Commissioner (Food Safety)	1	-	1	15600-39100	7200
4	Assistant Commissioner (Food Safety)	22	-	22	10300-34800	5000
(Labs)						
5	Director Labs	1	-	1	15600-39100	7200
6	Senior Scientific Officer (Drugs)	3	-	3	15600-39100	6600
7	Senior Scientific Officer (Food Safety)	4	-	4	15600-39100	6600

"APPENDIX 'B'**[See rule 5]**

Sr. No.	Designation of the post	Percentage for Appointment by		Method of appointment, qualifications and experience for Appointment by	
		Direct Appointment	Promotion	Direct Appointment	Promotion
1.	2.	3.	4.	5.	6.
1.	Joint Commissioner (Drugs)	-	Hundred percent	-	From amongst the Assistant Commissioner (Drugs), who have an experience of working as such for a minimum period of five years. Such officer shall act as Controlling Authority as per rule 50 of the Drugs and Cosmetics Rules, 1945.
2.	Assistant Commissioner (Drugs)	-	Hundred Percent	-	From amongst the Drug Control Officers working under the control of the Commissioner, who have an experience of working as such for a minimum period of eight years. Such officer shall act as Licensing Authority as per rule 49-A of the Drugs and Cosmetics Rules, 1945.
3.	Joint Commissioner (Food Safety)	-	Hundred percent	-	From amongst the Assistant Commissioner (Food Safety), who have an experience of working as such for a minimum period of five years.

4.	Assistant Commissioner (Food Safety)	Fifty percent	Fifty percent	Should possess qualifications as per rule 2.1.2 of the Food Safety and Standards Rules, 2011, as under:- (i) Should possess a Bachelor's Degree in Science with Chemistry as one of the subjects from a recognized university or institution or at least one of the educational qualifications prescribed for Food Safety Officer. (ii) Should undergo training as may be specified by the Food Authority, within a period of six months from the date of his appointment as Assistant Commissioner, (Food Safety). (iii) Persons having being appointed as Food Inspector having qualification prescribed under Prevention of Food Adulteration Rules, 1955 or as Local Health Authority, shall be eligible for appointment as Assistant Commissioner Food Safety, subject to fulfilling such other conditions, as may be	From amongst the Food Safety Officers, working under the control of the Commissioner, who have an experience of working as such for a minimum period of seven years. Such officer(s) shall perform the duties of Designated Officer (Food Safety).
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<p>specified for the post of Assistant Commissioner by the State Government.</p> <p>Such officer(s) shall perform the duties of Designated Officer (Food Safety).</p>					
5.	Director Labs	-	Hundred percent	-	From amongst the Senior Scientific Officers (Food Safety) or Senior Scientific Officer (Drugs) working under the control of the Commissioner, who have an experience of working as such for a minimum period of two years. Their inter-se-seniority shall be determined on the basis of seniority-cum- merit.
6.	Senior Scientific Officer (Drugs)	Twenty five percent	Seventy five percent	Should possess qualifications as per rule 44 of the Drugs and Cosmetics Rules, 1945, as under:- (a) Should be graduate in Medicine or Science or Pharmacy or Pharmaceutical Chemistry from a recognized university or institution in India or has an equivalent qualification as recognized and notified by the Central Government for such	From amongst the Scientific Officers (Drugs), working under the control of the Commissioner, who shall have an experience working as such for a minimum period of eight years.

purpose and has not less than five years' post-graduate experience in the testing of drugs in a laboratory under the control of,
(i) a Government Analyst appointed under the Drugs and Cosmetics Act, 1940, or
(ii) the head of an institution or testing laboratory approved for the purpose by the appointing authority or has completed two years' training on testing of drugs, including items stated in Schedule C, appended to the aforesaid Act of 1940 in Central Drugs Laboratory, or
(b) Possesses a post-graduate degree in Medicine or Science or Pharmacy or Pharmaceutical Chemistry of a recognized university or institution in India or has an equivalent qualification recognized and notified by the Central Government for such purpose or possesses the Associateship Diploma of the Institution of

Chemists (India)
obtained by passing the
said examination with
'Analysis of Drugs and
Pharmaceuticals' as one
of the subjects and has
after obtaining the said
post-graduate degree or
diploma not less than
three years' experience
in the testing of drugs in a
laboratory under the
control of,

(i) a Government
Analyst appointed under
the Act, or

(ii) the head of an
institution or testing
laboratory approved for
the purpose by the
appointing authority or
has completed two years'
training on testing of
drugs, including items
stated in Schedule C,
appended in the said Act,
in Central Drugs

Laboratory;

Provided that,-

[(i) for purpose of
examination of items in
Schedule C,-

(i-a) the persons
appointed under clause
(a) or (b) and having
degree in Medicine or
Physiology or

Pharmacology or
Microbiology or
Pharmacy should have
experience or training in
testing of said items in
an institution or
laboratory approved by
the appointing authority
for a period of not less
than six months;
(i-b) the person appointed
under clause(a) or (b),
but not having degree in
the above subjects should
have experience or
training in testing of said
Schedule C drugs for a
period of not less than
three years in an
institution or laboratory
approved by the
appointing authority or
have completed two
years training on
testing of drugs including
items mentioned in
Schedule C in Central
Drugs Laboratory;
(ii) for a period of four
years from the date on
which Chapter IV of the
Act takes effect in the
States, persons whose
training and experience
are regarded by the
appointing authority as
affording, subject to such

further training, if any,
as may be considered
necessary, a
reasonable guarantee
of adequate knowledge
and competence, may
be appointed as
Government Analysts.

The persons so
appointed may, if the
appointing authority so
desires, continue in
service after the expiry
of the said period of
four years;

(iii) no person who is
engaged directly or
indirectly in any trade or
business connected with
the manufacture of
drugs shall be appointed
as a Government

Analyst for any area :

Provided further that for
the purpose of
examination of Anti-sera,
Toxoid and Vaccines
and Diagnostic Antigens
for Veterinary use, the
person appointed shall
be a person who is a
graduate in Veterinary
Science, or general
science, or medicine or
pharmacy and has had
not less than five
years' experience in the

standardization of
biological products or
person holding a post-
graduate degree in
Veterinary Science, or
general science, or
medicine or pharmacy
or pharmaceutical
chemistry with an
experience of not
less than three years in
the standardization of
biological products :
Provided further that
persons, already
appointed as
Government Analysts
may continue to remain
in service, if the
appointing authority so
desires, notwithstanding
the fact that they do not
fulfil the qualifications as
laid down in clause (a),
clause (b) or the
preceding proviso,
and shall have an
experience in Drugs and
Cosmetics test and
analysis for a minimum
period of fourteen years
from government
approved laboratory or
having such experience
from State Government
Drugs Testing
Laboratory.

(iv) The segregation of such posts whose qualifications are provided in clause (a) and (b) shall be determined by the Government at the time of advertisement of the post(s), depending upon their requirement in the Department.				
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7.	Senior Scientific Officer (Food Safety)	Twenty five percent	Seventy five percent	Should possess qualifications as per rule 2.1.4 of the Food Safety and Standards Rules 2011, as under: (i) Should possess Master's degree in Chemistry or Biochemistry or Microbiology or Dairy Chemistry or Food Technology, Food and Nutrition or Bachelor of Technology in Dairy/Oil or holds degree in Veterinary Sciences from a recognized university or institution in India or is an associate of the Institution of Chemists (India) by examination in the section of Food Analysts conducted by the Institution of Chemists (India) or any other
				From amongst the Scientific Officers (Food Safety), working under the control of the Commissioner, who have an experience of working as such for a minimum period of eight years.

equivalent qualification
recognized and notified
by the Central
government for such
purposes and has not less
than three years
experience in the
analysis of food; and
(ii) Has been declared
qualified for appointment
as a Food Analyst by a
Board appointed and
notified by the Authority,
notwithstanding anything
contained above,
(a) any person who has
been declared qualified
for appointment as
Public Analyst by the
Board constituted
under the Prevention of
Food Adulteration Act,
1954 shall also be
eligible for holding the
post of Food Analyst;
(b) any person who is
a Public Analyst under
the provisions of
Prevention of Food
Adulteration Act, 1954
on the date of
commencement of these
rules, may hold office of
the Food Analyst subject
to the terms and
conditions of service
applicable to such person.

(iii) A person appointed as Senior Scientific Officer (Food Safety) shall undergo all specialized training programmes specified by the Food Authority periodically.

(iv) The segregation of such posts whose qualifications are given at clauses (i) and (ii) shall be determined by the Government at the time of advertisement of the post(s) depending upon their requirement in the Department.

Appendix 'C'

[See rule 8]

GOVERNMENT OF PUNJAB

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
(PERSONNEL POLICIES 1 BRANCH)

NOTIFICATION

The 4th May, 1994

No. G.S.R.33/Const./Art.309/94.- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and the conditions of Service of the persons appointed to Class I, Class II and Class III services in connection with the affairs of the State of Punjab, namely : -

1. Short title, commencement and application.- (i) These rules may be called the Punjab Civil Services (General and Common Conditions of Service Rules, 1994).

(ii) They shall come into force at once.

(iii) They shall apply to all the posts in Class I, Class II and Class III services in connection with the affairs of the State of Punjab.

2. Definitions.- In these rules, unless the context otherwise requires, -

(a) "appointing authority" means an appointing authority specified as such in the Service Rules made under articles 309 of the Constitution of India in respect of any service of post in connection with the affairs of the State of Punjab;

(b) "Board" means the Subordinate Services Selection Board Punjab or any other authority constituted to perform its functions;

(c) "Commission" means the Punjab Public Service Commission;

(d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;

(e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;

(f) "recognized university or institution" means,-

(i) any university or institution incorporated by law in any of the State of India; or

-
- (ii) any other university or institution which is declared by the Government to be a recognized university or institution for the purposes of these rules;
 - (g) "Service" means any Class I service, Class II service or Class III service constituted in connection with the affairs of the State of Punjab;
 - (h) "Service Rules" means the service rules made under article 309 of the Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
 - (i) "War Hero" means a defence services personnel, or a paramilitary forces personnel, who is a bona fide resident of Punjab State and is killed, or discharged from the above service on account of disability suffered by him while fighting for defending the border of the country in Kargil sector of the State of Jammu and Kashmir or fighting for the country in any other sector or similar operation on or after the first day of January, 1999 which may be notified by the State Government as undertaken for preserving the unity and integrity of the motherland. However, in exceptional cases, the cases of those war hero's can also be covered under this definition who, though, not bona fide residents of Punjab State, but are yet closely connected to the State of Punjab. In such exceptional cases, the express approval of the Department of Personnel will be mandatory.

3. Nationality, domicile and character of persons appointed to the service.-

- (i) No person shall be appointed to the Service unless he is, -
 - (a) a Citizen of India; or
 - (b) a Citizen of Nepal; or
 - (c) a Subject of Bhutan; or
 - (d) A Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
 - (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government

of Punjab in the Department of Home Affairs and Justice.

- (ii) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.
- (iii) No person shall be recruited to the Service by direct appointment, unless he produces.-
 - (a) a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university college, school or institution; and
 - (b) An affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India or of any Public Sector Undertakings.

4. Disqualifications.- No person;

- (a) who, has entered into or contracted a marriage with a person having a spouse living; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any from the operation of this rule.

- 5. Age.-** (i) No person shall be recruited to the Service by direct appointment if he is less than eighteen years or is more than thirty years of age in the case of non technical posts and thirty three years in the case of technical posts on the 1st day of January of the year immediately preceding the last date fixed for submission of applications by the Commission of the Board, as the case may be, or unless he is within such range of minimum and maximum age limits as may be specifically fixed by the Government from time to time.

Provided that where different lower and upper age limits have been specifically

prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed up to forty-five years in the case of persons already in the employment of the Punjab Government, other State Government, or the Government of India:

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

(ii) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.

(iii) in the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

(iv) In the case of appointment of a War-hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or depended member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

- 6. Qualifications etc.-** Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for that Service:

Provided that where appointment of Class I or Class II non-technical post is offered to a war-hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognized university. Such person who is offered Class I or Class II or Class III non-technical post, shall not, however, be required to possess experience of technical or non technical post at the time of his initial appointment.

- 7. Probation.-** (i) A person appointed to any post in the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if appointed otherwise:

Provided that -

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
 - (b) in the case of any appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
 - (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.
- (ii) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or if he has failed to pass the departmental examination, if any prescribed in Service Rules within a period not exceeding two and a half years from the date of appointment, it may, -
- (a) if such person is recruited by direct appointment, dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment ; and
 - (b) if such person is appointed otherwise,-
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
 - (iii) On the completion of the period of probation of a person, the appointing authority may, -
- (iii) On the completion of the period of probation of a person, the appointing authority may,-
- (a) if his work and conduct has, in its opinion been satisfactory, -
 - (i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily if he is not already confirmed; or
 - (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
 - (b) If his work or conduct has not been, in its opinion, satisfactory or if he has failed to pass the Departmental Examination, if any, specified in the Service Rules, -

- (i) dispense with his service, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit; or
- (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

Provided that the total period of probation including extension, if any, shall not exceed three years.

- 8. Seniority.** - The seniority inter-se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service:

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or with such period as may be extended from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection, who join within the time specified in the first proviso:

Provided further that in the case of two or more persons appointed on the same date, their seniority shall be determined as follows: -

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer,
- (c) in the case of person appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments

from which they were promoted or transferred; and

- (d) In the case of persons appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, then by their length of service in these appointments and if the length of service is also the same, an older person shall be senior to a younger person.

Note: - Seniority of persons appointed on purely provisional basis or on adhoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

- 9. Liability of members of Service to transfer.** - A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Services Rules, Volume I, Part I.
- 10. Liability to serve.** - A member of Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.
- 11. Leave, Pension and other matters.** - In respect of pay, leave, pension and all other matters not expressly provided for in these rules, a member of a Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by the competent authority.
- 12. Discipline, penalties and appeals.** - (i) In the matter of discipline, punishment and appeals, a member of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.
- (ii) The authority empowered to impose penalties specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.
- 13. Liability for vaccination and re-vaccination.** - Every member of a Service shall get himself vaccinated or re-vaccinated when Punjab Government directs by a special or general order.
- 14. Oath of allegiance.** - Every member of a Service, unless he has already done so, shall be required to take oath of a allegiance to India and to the Constitution of India as by law established.

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- 15. Knowledge of Punjabi Language.** - No person shall be appointed to any post in any Service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subject or any other equivalent examination by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of Department of Education of Punjab Government within a period of six months from the date of his appointment.

Provided further that where educational qualifications for a post in any service are lower than the Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle Standard:

Provided further where a War Hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language.

Provided further that where award of Defence Service personnel, who is a bonafide resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation Standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

- 16. Debarring for consideration for promotion of a Government employee who refuses to accept promotion.** - In the event of refusal to accept promotion by a member of a Service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion;

Provided that in case where the appointing authority is satisfied that a member of a Service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefore in writing from the operation of this rule.

- 17. Power to relax.** - Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax of the provisions of these rules with respect to any class or category or persons; Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.
- 18. Over riding effect.** - The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any rules for the time being inforce for regulating the recruitment and conditions or service for appointment to public service and posts in connection with the affairs of the state.
- 19. Interpretation.-** If any question arises as to the interpretation of these rules, the Government shall decide the same.

“APPENDIX”

(See rule 2)

Group ‘A’ Posts in initial entry revised scales of pay having a maximum of Rs. 11,660 or more:

Provided that all existing Class I posts irrespective of the monitory limits of the pay scales shall be placed in Group ‘A’.

Group ‘B’ Posts in initial entry revised scales of pay having a maximum ranging between Rs. 10,640 to 11659;

Group ‘C’ Posts in initial entry revised scales of pay with maximum ranging between Rs. 5,160 to 10639;

A.S. CHATTHA,

Chief Secretary to Government of Punjab

VINI MAHAJAN,

Principal Secretary to Government of Punjab,
Department of Health and Family Welfare.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HEALTH AND FAMILY WELFARE

(Health-6 Branch)

NOTIFICATION

The 31st March, 2016

No.G.S.R.31/Const./Art.309/2016.-In exercise of the powers conferred by the provision to article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, regulating the recruitment and the conditions of Service of the persons appointed to the Punjab Food and Drug Administration (Technical Group-B) Service namely:-

RULES

1. Short title, commencement and application.- (1) These rules may be called the Punjab Food and Drug Administration (Technical Group-B) Service Rules, 2016.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

(3) They shall apply to the posts specified in Appendix 'A'.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) 'Appendix' means an Appendix, appended to these rules;

(b) 'Commissioner' means the Commissioner, Food and Drugs Administration;

(c) 'Service' means the Punjab Food and Drug Administration Technical (Group B) Service; and

(d) 'Government' means the Government of the State of Punjab in the Department of Health and Family Welfare;

3. Number and character of posts.- The Service shall comprise the posts specified in Appendix 'A':

Provided that nothing in these rules shall affect the inherent right of the Government to add to or to reduce the number of such posts or to create new posts with different designations and scale of pay, whether permanently or temporarily.

4. Appointing authority. - Appointment to the Service shall be made by the Government.

5. Method of appointment, qualifications and experience. -(1) Appointment to the Service shall be made in the manner as specified in Appendix 'B':

Provided that if no suitable candidate is available for appointment by promotion and by direct appointment, then appointment to the Service shall be made by transfer of a person holding a similar or an identical post under a State Government or Government of India.

(2) No person shall be appointed to any post in the Service, unless he possesses the qualifications and experience as specified against that post in appendix 'B'.

(3) Appointment to the Service by promotion shall be made on the basis of seniority-cum-merit, but no person shall have any right to claim promotion on the basis of seniority alone.

6. Pay of members of the Service. - The members of the Service shall be entitled to such scales of pay, as may be authorized by the Punjab Government from time to time. The scales of pay at present in force are given in Appendix 'A'.

7. Discipline, Punishment and appeal.- (1) In the matters of discipline, punishment and appeal, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties, as specified in the rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, in respect of the members of the Service, shall be the Government.

8. Application of the Punjab Civil Service (General and Common Conditions of Service) Rules, 1994.- (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, at present in force, are contained in Appendix 'C'.

9. Repeal and Savings.- The Punjab Health and Family Welfare (Group 'B') Service Rules, 2001, in so far as they are applicable to the members of the Services, are hereby repealed;

Provided that any order issued or any action taken under the rules so repealed shall be deemed to have been issued or taken under the corresponding provisions of these rules.

10. Interpretation.- If any question arises as to the interpretation of these rules, the Government shall decide the same in consultation with the Department of Personnel.

"APPENDIX `A`"

[See rules 1(3), 3 and 6]

Serial No.	Designation of the Post	Number of Posts			Scale of Pay	Grade Pay
		Permanent	Temporary	Total	(in rupees)	(in rupees)
(Drugs)						
1	Drugs Control Officer	60	-	60	10300-34800	4200
(Labs)						
2	Scientific Officer (Drugs)	4	-	4	10300-34800	4800
3	Scientific Officer (Food Safety)	6	-	6	10300-34800	4800
4	Analyst (Drugs)	9	-	9	10300-34800	4200
5	Analyst (Food Safety)	15	-	15	10300-34800	4200

"APPENDIX `B`**[See rule 6]**

Sr. No.	Designation of the post	Percentage for Appointment by		Method, Qualifications and Experience for Appointment by	
		Direct Appointment	Promotion	Direct Appointment	Promotion
1.	2.	3.	4.	5.	6.

Group - B (Technical)

1.	Drugs Control Officer	Hundred percent	-	Should possess qualifications as per rule 49 of the Drugs and Cosmetics Rules, 1945, as under:- A person who is appointed an Inspector under the Drugs and Cosmetics Act 1940 shall be a person who has a degree in Pharmacy or Pharmaceutical Sciences or Medicine with specialisation in Clinical Pharmacology or Microbiology from a recognized university or institution in India: Provided that only those Inspectors; - (i) Who have not less than eighteen months' experience in the manufacture of at least one of the substances specified in Schedule C, appended to the aforesaid Act; or (ii) Who have not less	-
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					<p>than eighteen months' experience in testing of at least one of the substances in Schedule C in a Laboratory approved for this purpose by the licensing authority, or</p> <p>(iii) Who have gained experiences of not less than three years in the inspection of firms manufacturing any of the substances specified in Schedule C during the tenure of their services as Drugs Inspectors; shall be authorized to inspect the manufacture of the substances mentioned in Schedule C:]</p>
2.	Scientific Officer (Drugs)	-	Hundred percent	-	From amongst the Analyst (Drugs) working under the control of the Commissioner, who have an experience of working as such for a minimum period of six years.
3.	Scientific Officer (Food Safety)	-	Hundred percent	-	From amongst the Analyst (Food Safety) working under the control of the Commissioner, who have an experience of working as such for a minimum period of six years.

4.	Analyst (Drugs)	Hundred percent	-	<p>(i) Should possess Postgraduate degree in Medicine or Science or Pharmacy or Pharmaceutical Chemistry from a recognized university or institution; or</p> <p>(ii) Should possess Postgraduate degree in Microbiology from a recognized university or Institution in India; and</p> <p>(iii) Should have an experience in testing of drugs for minimum period of eighteen months from Government approved Drugs Testing Laboratory or should have such experience from State Government Drugs Testing Laboratory, or should have an approval as Analyst from the office of State Drugs Controller. The segregation of such posts whose qualifications are provided in clause (i) and (ii) shall be determined by the Government at the time of advertisement of the post(s), depending upon their requirement in the Department.</p>
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5.	Analyst (Food Safety)	Hundred percent	(i) Should possess Master's Degree in Chemistry or Biochemistry or Microbiology or Dairy Chemistry or Food Technology or Food and Nutrition or holds degree of Bachelor of Technology in Dairy/ Oil or holds Degree in Veterinary Science from a recognized university or institution; and (ii) Should have an experience in Food testing for a minimum period of eighteen months from an institution or an establishment having a licence under Food Safety and Standards Act, 2006 or should have such experience from State Government Food Testing Laboratory. The segregation of such posts whose qualifications are provided in clauses (i) and (ii) shall be determined by the Government at the time of advertisement of the post (s), depending upon their requirement in the Department.	-
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Appendix 'C'**[See rule 8]****GOVERNMENT OF PUNJAB****DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
(PERSONNEL POLICIES 1 BRANCH)****NOTIFICATION**

The 4th May, 1994

No. G.S.R.33/Const./Art.309/94.- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and the conditions of Service of the persons appointed to Class I, Class II and Class III services in connection with the affairs of the State of Punjab, namely : -

1. Short title, commencement and application.- (i) These rules may be called the Punjab Civil Services (General and Common Conditions of Service Rules, 1994).

(ii) They shall come into force at once.

(iii) They shall apply to all the posts in Class I, Class II and Class III services in connection with the affairs of the State of Punjab.

2. Definitions.- In these rules, unless the context otherwise requires, -

(a) "appointing authority" means an appointing authority specified as such in the Service Rules made under articles 309 of the Constitution of India in respect of any service of post in connection with the affairs of the State of Punjab;

(b) "Board" means the Subordinate Services Selection Board Punjab or any other authority constituted to perform its functions;

(c) "Commission" means the Punjab Public Service Commission;

(d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;

(e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;

(f) "recognized university or institution" means,-

(i) any university or institution incorporated by law in any of the State of India; or

-
- (ii) any other university or institution which is declared by the Government to be a recognized university or institution for the purposes of these rules;
 - (g) "Service" means any Class I service, Class II service or Class III service constituted in connection with the affairs of the State of Punjab;
 - (h) "Service Rules" means the service rules made under article 309 of the Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
 - (i) "War Hero" means a defence services personnel, or a paramilitary forces personnel, who is a bona fide resident of Punjab State and is killed, or discharged from the above service on account of disability suffered by him while fighting for defending the border of the country in Kargil sector of the State of Jammu and Kashmir or fighting for the country in any other sector or similar operation on or after the first day of January, 1999 which may be notified by the State Government as undertaken for preserving the unity and integrity of the motherland. However, in exceptional cases, the cases of those war hero's can also be covered under this definition who, though, not bona fide residents of Punjab State, but are yet closely connected to the State of Punjab. In such exceptional cases, the express approval of the Department of Personnel will be mandatory.

3. Nationality, domicile and character of persons appointed to the service.-

- (i) No person shall be appointed to the Service unless he is, -
 - (a) a Citizen of India; or
 - (b) a Citizen of Nepal; or
 - (c) a Subject of Bhutan; or
 - (d) A Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
 - (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government

of Punjab in the Department of Home Affairs and Justice.

- (ii) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.
- (iii) No person shall be recruited to the Service by direct appointment, unless he produces.-
 - (a) a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university college, school or institution; and
 - (b) An affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India or of any Public Sector Undertakings.

4. Disqualifications.- No person;

- (a) who, has entered into or contracted a marriage with a person having a spouse living; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any from the operation of this rule.

- 5. Age.-** (i) No person shall be recruited to the Service by direct appointment if he is less than eighteen years or is more than thirty years of age in the case of non technical posts and thirty three years in the case of technical posts on the 1st day of January of the year immediately preceding the last date fixed for submission of applications by the Commission of the Board, as the case may be, or unless he is within such range of minimum and maximum age limits as may be specifically fixed by the Government from time to time.

Provided that where different lower and upper age limits have been specifically

prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed up to forty-five years in the case of persons already in the employment of the Punjab Government, other State Government, or the Government of India:

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

(ii) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.

(iii) in the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

(iv) In the case of appointment of a War-hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or depended member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

- 6. Qualifications etc.-** Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for that Service:

Provided that where appointment of Class I or Class II non-technical post is offered to a war-hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognized university. Such person who is offered Class I or Class II or Class III non-technical post, shall not, however, be required to possess experience of technical or non technical post at the time of his initial appointment.

- 7. Probation.-** (i) A person appointed to any post in the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if appointed otherwise:

Provided that -

-
- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
 - (b) in the case of any appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
 - (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.
- (ii) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or if he has failed to pass the departmental examination, if any prescribed in Service Rules within a period not exceeding two and a half years from the date of appointment, it may, -
- (a) if such person is recruited by direct appointment, dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment ; and
 - (b) if such person is appointed otherwise,-
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
 - (iii) On the completion of the period of probation of a person, the appointing authority may, -
- (iii) On the completion of the period of probation of a person, the appointing authority may,-
- (a) if his work and conduct has, in its opinion been satisfactory, -
 - (i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily if he is not already confirmed; or
 - (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
 - (b) If his work or conduct has not been, in its opinion, satisfactory or if he has failed to pass the Departmental Examination, if any, specified in the Service Rules, -

-
- (i) dispense with his service, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit; or
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

Provided that the total period of probation including extension, if any, shall not exceed three years.

- 8. Seniority.** - The seniority inter-se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service:

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or with such period as may be extended from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection, who join within the time specified in the first proviso:

Provided further that in the case of two or more persons appointed on the same date, their seniority shall be determined as follows: -

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer,
- (c) in the case of person appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments

from which they were promoted or transferred; and

- (d) In the case of persons appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, then by their length of service in these appointments and if the length of service is also the same, an older person shall be senior to a younger person.

Note: - Seniority of persons appointed on purely provisional basis or on adhoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

- 9. Liability of members of Service to transfer.** - A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Services Rules, Volume I, Part I.
- 10. Liability to serve.** - A member of Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.
- 11. Leave, Pension and other matters.** - In respect of pay, leave, pension and all other matters not expressly provided for in these rules, a member of a Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by the competent authority.
- 12. Discipline, penalties and appeals.** - (i) In the matter of discipline, punishment and appeals, a member of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.
- (ii) The authority empowered to impose penalties specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.
- 13. Liability for vaccination and re-vaccination.** - Every member of a Service shall get himself vaccinated or re-vaccinated when Punjab Government directs by a special or general order.
- 14. Oath of allegiance.** - Every member of a Service, unless he has already done so, shall be required to take oath of a allegiance to India and to the Constitution of India as by law established.

- 15. Knowledge of Punjabi Language.** - No person shall be appointed to any post in any Service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subject or any other equivalent examination by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of Department of Education of Punjab Government within a period of six months from the date of his appointment.

Provided further that where educational qualifications for a post in any service are lower than the Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle Standard:

Provided further where a War Hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language.

Provided further that where award of Defence Service personnel, who is a bonafide resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation Standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

- 16. Debarring for consideration for promotion of a Government employee who refuses to accept promotion.** - In the event of refusal to accept promotion by a member of a Service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion;

Provided that in case where the appointing authority is satisfied that a member of a Service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefore in writing from the operation of this rule.

- 17. Power to relax.** - Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax of the provisions of these rules with respect to any class or category or persons; Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.
- 18. Over riding effect.** - The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any rules for the time being inforce for regulating the recruitment and conditions or service for appointment to public service and posts in connection with the affairs of the state.
- 19. Interpretation.-** If any question arises as to the interpretation of these rules, the Government shall decide the same.

“APPENDIX”

(See rule 2)

Group ‘A’ Posts in initial entry revised scales of pay having a maximum of Rs. 11,660 or more:

Provided that all existing Class I posts irrespective of the monitory limits of the pay scales shall be placed in Group ‘A’.

Group ‘B’ Posts in initial entry revised scales of pay having a maximum ranging between Rs. 10,640 to 11659;

Group ‘C’ Posts in initial entry revised scales of pay with maximum ranging between Rs. 5,160 to 10639;

A.S. CHATTHA,

Chief Secretary to Government of Punjab

VINI MAHAJAN,

Principal Secretary to Government of Punjab,
Department of Health and Family Welfare.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HEALTH AND FAMILY WELFARE

(Health-4 Branch)

NOTIFICATION

The 31st March, 2016

No.G.S.R.32/Const./Art.309/2016.-In exercise of the powers conferred by the provision to article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, regulating the recruitment and the conditions of Service of the persons appointed to the Punjab Food and Drug Administration (Technical Group-C) Service namely:-

RULES

1. Short title, commencement and application.- (1) These rules may be called the Punjab Food and Drug Administration (Technical Group-C) Service Rules, 2016.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

(3) They shall apply to the posts specified in Appendix 'A'.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

- (a) 'Appendix' means an Appendix, appended to these rules;
- (b) 'Commissioner' means the Commissioner, Food and Drug Administration;
- (c) 'Service' means the Punjab Food and Drug Administration (Technical Group-C) Service; and
- (d) 'Government' means the Government of the State of Punjab in the Department of Health and Family Welfare;

3. Number and character of posts.- The Service shall comprise the posts specified in Appendix 'A':

Provided that nothing in these rules shall affect the inherent right of the Government to add to or to reduce the number of such posts or to create new posts with different designations and scale of pay, whether permanently or temporarily.

4. Appointing authority.- Appointment to the Service shall be made by the Commissioner.

5. Method of appointment, qualifications and experience. - (1) Appointment to the Service shall be made in the manner as specified in Appendix 'B':

Provided that if no suitable candidate is available for appointment by promotion and by direct appointment, then appointment to the Service shall be made by transfer of a person holding a similar or identical post under a State Government or Government of India.

(2) No person shall be appointed to any post in the Service unless he possesses the qualifications and experience as specified against that post in appendix 'B'.

(3) Appointment to the Service by promotion shall be made on the basis of seniority-cum-merit, but no person shall have any right to claim promotion on the basis of seniority alone.

6. Pay of members of the Service. - The members of the Service shall be entitled to such scales of pay, as may be authorized by the Punjab Government from time to time. The scales of pay at present in force are given in Appendix 'A'.

7. Discipline, Punishment and appeal.- (1) In the matters of discipline, punishment and appeal, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties, as specified in the rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the members of the Service, shall respectively be the Commissioner and the Government.

8. Application of the Punjab Civil Service (General and Common Conditions of Service) Rules, 1994.- (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, at present in force, are contained in Appendix 'C'.

9. Repeal and Savings. - The Punjab Health and Family Welfare Technical (Group 'C') Service Rules, 2007 in so far these are applicable to the members of the Service are hereby repealed;

Provided that any order issued or any action taken under the rules so repealed, shall be deemed to have been made or taken under the corresponding provision of these rules.

10. Interpretation.- If any question arises as to the interpretation of these rules, the Government shall decide the same in consultation with the Department of Personnel.

"APPENDIX `A`"

[See rules 1(3), 3 and 6]

Serial No.	Designation of the Post	Number of Posts			Scale of Pay (in rupees)	Grade Pay (in rupees)
		Permanent	Temporary	Total		
(Food Safety)						
1	Food Safety Officer	60	-	60	10300-34800	4200

"APPENDIX `B`"

[See Rule 5]

Sr. No.	Designation of the post	Percentage for Appointment by		Method, Qualifications and Experience for Appointment by	
		Direct Appointment	Promotion	Direct Appointment	Promotion
1.	2.	3.	4.	5.	6.
Group - C (Technical)					
1.	Food Safety Officer	Hundred percent		Should possess qualification as provided in rule 2.1.3 of the Food Safety and Standards Rules, 2011, as under; (i) Should possess degree in Food Technology or Dairy Technology or Biotechnology or Oil Technology or Agricultural Science or Veterinary Sciences or Bio-Chemistry or Microbiology or Masters Degree in Chemistry or degree in medicine from a recognized University or institution of India. (ii) Any other equivalent/recognized qualifications as notified by the Central Government, and	-

(iii) Has successfully
completed training
as specified by the
Food Authority in a
recognized institute
or Institution
approved for the
purpose:

Provided that no
person, who has any
financial interest in
the manufacture,
import or sale of any
article of food shall
be appointed to be a
Food Safety Officer.

Appendix 'C'**[See rule 8]****GOVERNMENT OF PUNJAB****DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
(PERSONNEL POLICIES 1 BRANCH)****NOTIFICATION**

The 4th May, 1994

No. G.S.R.33/Const./Art.309/94.- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and the conditions of Service of the persons appointed to Class I, Class II and Class III services in connection with the affairs of the State of Punjab, namely : -

1. Short title, commencement and application.- (i) These rules may be called the Punjab Civil Services (General and Common Conditions of Service Rules, 1994).

(ii) They shall come into force at once.

(iii) They shall apply to all the posts in Class I, Class II and Class III services in connection with the affairs of the State of Punjab.

2. Definitions.- In these rules, unless the context otherwise requires, -

(a) "appointing authority" means an appointing authority specified as such in the Service Rules made under articles 309 of the Constitution of India in respect of any service of post in connection with the affairs of the State of Punjab;

(b) "Board" means the Subordinate Services Selection Board Punjab or any other authority constituted to perform its functions;

(c) "Commission" means the Punjab Public Service Commission;

(d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;

(e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;

(f) "recognized university or institution" means,-

(i) any university or institution incorporated by law in any of the State of India; or

-
- (ii) any other university or institution which is declared by the Government to be a recognized university or institution for the purposes of these rules;
 - (g) "Service" means any Class I service, Class II service or Class III service constituted in connection with the affairs of the State of Punjab;
 - (h) "Service Rules" means the service rules made under article 309 of the Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
 - (i) "War Hero" means a defence services personnel, or a paramilitary forces personnel, who is a bona fide resident of Punjab State and is killed, or discharged from the above service on account of disability suffered by him while fighting for defending the border of the country in Kargil sector of the State of Jammu and Kashmir or fighting for the country in any other sector or similar operation on or after the first day of January, 1999 which may be notified by the State Government as undertaken for preserving the unity and integrity of the motherland. However, in exceptional cases, the cases of those war hero's can also be covered under this definition who, though, not bona fide residents of Punjab State, but are yet closely connected to the State of Punjab. In such exceptional cases, the express approval of the Department of Personnel will be mandatory.

3. Nationality, domicile and character of persons appointed to the service.-

- (i) No person shall be appointed to the Service unless he is, -
 - (a) a Citizen of India; or
 - (b) a Citizen of Nepal; or
 - (c) a Subject of Bhutan; or
 - (d) A Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
 - (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government

of Punjab in the Department of Home Affairs and Justice.

- (ii) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.
- (iii) No person shall be recruited to the Service by direct appointment, unless he produces.-
 - (a) a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university college, school or institution; and
 - (b) An affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India or of any Public Sector Undertakings.

4. Disqualifications.- No person;

- (a) who, has entered into or contracted a marriage with a person having a spouse living; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any from the operation of this rule.

- 5. Age.-** (i) No person shall be recruited to the Service by direct appointment if he is less than eighteen years or is more than thirty years of age in the case of non technical posts and thirty three years in the case of technical posts on the 1st day of January of the year immediately preceding the last date fixed for submission of applications by the Commission of the Board, as the case may be, or unless he is within such range of minimum and maximum age limits as may be specifically fixed by the Government from time to time.

Provided that where different lower and upper age limits have been specifically

prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed up to forty-five years in the case of persons already in the employment of the Punjab Government, other State Government, or the Government of India:

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

(ii) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.

(iii) in the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

(iv) In the case of appointment of a War-hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or depended member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

- 6. Qualifications etc.-** Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for that Service:

Provided that where appointment of Class I or Class II non-technical post is offered to a war-hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognized university. Such person who is offered Class I or Class II or Class III non-technical post, shall not, however, be required to possess experience of technical or non technical post at the time of his initial appointment.

- 7. Probation.-** (i) A person appointed to any post in the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if appointed otherwise:

Provided that -

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- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
 - (b) in the case of any appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
 - (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.
- (ii) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or if he has failed to pass the departmental examination, if any prescribed in Service Rules within a period not exceeding two and a half years from the date of appointment, it may, -
- (a) if such person is recruited by direct appointment, dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment ; and
 - (b) if such person is appointed otherwise,-
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
 - (iii) On the completion of the period of probation of a person, the appointing authority may, -
- (iii) On the completion of the period of probation of a person, the appointing authority may,-
- (a) if his work and conduct has, in its opinion been satisfactory, -
 - (i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily if he is not already confirmed; or
 - (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
 - (b) If his work or conduct has not been, in its opinion, satisfactory or if he has failed to pass the Departmental Examination, if any, specified in the Service Rules, -

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- (i) dispense with his service, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit; or
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

Provided that the total period of probation including extension, if any, shall not exceed three years.

- 8. Seniority.** - The seniority inter-se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service:

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or with such period as may be extended from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection, who join within the time specified in the first proviso:

Provided further that in the case of two or more persons appointed on the same date, their seniority shall be determined as follows: -

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer,
- (c) in the case of person appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments

from which they were promoted or transferred; and

- (d) In the case of persons appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, then by their length of service in these appointments and if the length of service is also the same, an older person shall be senior to a younger person.

Note: - Seniority of persons appointed on purely provisional basis or on adhoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

- 9. Liability of members of Service to transfer.** - A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Services Rules, Volume I, Part I.
- 10. Liability to serve.** - A member of Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.
- 11. Leave, Pension and other matters.** - In respect of pay, leave, pension and all other matters not expressly provided for in these rules, a member of a Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by the competent authority.
- 12. Discipline, penalties and appeals.** - (i) In the matter of discipline, punishment and appeals, a member of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.
- (ii) The authority empowered to impose penalties specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.
- 13. Liability for vaccination and re-vaccination.** - Every member of a Service shall get himself vaccinated or re-vaccinated when Punjab Government directs by a special or general order.
- 14. Oath of allegiance.** - Every member of a Service, unless he has already done so, shall be required to take oath of a allegiance to India and to the Constitution of India as by law established.

- 15. Knowledge of Punjabi Language.** - No person shall be appointed to any post in any Service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subject or any other equivalent examination by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of Department of Education of Punjab Government within a period of six months from the date of his appointment.

Provided further that where educational qualifications for a post in any service are lower than the Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle Standard:

Provided further where a War Hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language.

Provided further that where award of Defence Service personnel, who is a *bonafide* resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation Standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

- 16. Debarring for consideration for promotion of a Government employee who refuses to accept promotion.** - In the event of refusal to accept promotion by a member of a Service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion;

Provided that in case where the appointing authority is satisfied that a member of a Service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefore in writing from the operation of this rule.

- 17. Power to relax.** - Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax of the provisions of these rules with respect to any class or category or persons; Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.
- 18. Over riding effect.** - The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any rules for the time being inforce for regulating the recruitment and conditions or service for appointment to public service and posts in connection with the affairs of the state.
- 19. Interpretation.-** If any question arises as to the interpretation of these rules, the Government shall decide the same.

“APPENDIX”

(See rule 2)

Group ‘A’ Posts in initial entry revised scales of pay having a maximum of Rs. 11,660 or more:

Provided that all existing Class I posts irrespective of the monitory limits of the pay scales shall be placed in Group ‘A’.

Group ‘B’ Posts in initial entry revised scales of pay having a maximum ranging between Rs. 10,640 to 11659;

Group ‘C’ Posts in initial entry revised scales of pay with maximum ranging between Rs. 5,160 to 10639;

A.S. CHATTHA,

Chief Secretary to Government of Punjab.

VINI MAHAJAN,

Principal Secretary to Government of Punjab,
Department of Health and Family Welfare.



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EXTRAORDINARY

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